

To: **The Federal Communications Commission  
Washington, DC 20554**

Ref: **Objections to Recommendations in  
Ex Parte ARRL Presentation and  
Subsequent Erratum Filing in reference to  
RM-11306, filed in Nov. 2005 by the ARRL**

April 11, 2007

Ladies and Gentlemen of the FCC,

I, Luke O. Bannister, amateur radio licensee AD4MG, respectfully request the attention of the Commission for the purpose of evaluating my comments of recent revisions to RM-11306 as filed by the ARRL in November of 2005.

I have previously filed comment in opposition to the original submittal of this petition. I again feel compelled to offer comment due to the Ex Parte meeting and subsequent filing of revision to RM-11306. Additionally, I would like to offer comment on yet another revision, the filing of an erratum to the revision.

I wish to point out that the highly unusual action taken by the ARRL in its Ex Parte meeting with the Commission, and the erratum filing that shortly followed has had the effect of creating considerable confusion among the ranks of the Amateur Radio Service. The lack of a prompt announcement by the ARRL to both it's membership, and the balance of the amateur community of the Ex Parte meeting in itself casts suspicion upon the agenda of such a meeting. The lack of thought and attention to detail illustrated by the need to file an erratum indicates that the entire process of filing this petition in the first place was done without consideration of any factual data or studies as to possible impact upon the service. Additionally, the filing has been touted as being "on behalf of the amateur radio service", which is a dubious claim at best, and certainly cannot be considered as factual.

The petition in itself offers what may be a beneficial method of spectrum use planning, by emissions bandwidth as opposed to transmission mode, but the devil here is in the total lack of details. There is no existing precedence upon which to gauge the impact of such a radical change to the amateur service, therefore it would be foolish, at best, to implement such wide sweeping change in one instance.

My opposition to the original petition was based on what I perceive as the negative impact created by the mixing of digital stations operating in automatic mode with so called "legacy" communications in the now defined phone segments of the amateur bands. It was, and continues to be my opinion that these two radically different modes of transmission cannot coexist, especially in considering the lack of effective "busy channel" detection the automatic stations are equipped with. Unfortunately, technology has not been able to deliver signal detection methods anywhere near as effective as the human ear. Until such time as this is technologically feasible, it

remains my opinion that this potential for extreme interference from automatically controlled digital transmissions to the human to human voice communications makes consideration of the original petition prohibitive. I again stress that the ARRL has not considered the effects of the proposal, and has conducted no studies to evaluate these impacts. To submit such a petition calling for the extreme changes as outlined in RM-11306 is irresponsible and negligent towards the group that the ARRL claims to represent.

In regards to the Ex Parte meeting, it is my opinion that the changes requested can be summed up by considering that the request to allow wide band digital communications under automatic has been shifted from what is commonly referred to as the "Phone" segments of our spectrum to the "RTTY, CW" segments instead. This has the effect of being contrary to the Commission's wish that spectrum allocated to the amateur radio service be shared, and used wisely. Allowing proliferation of wide band digital signals in what is customarily spectrum used by legitimate digital experimenters using primarily narrow band transmissions will have the opposite effect as described by the original submittal of the petition, which is the flexibility in band planning to allow experimentation and advancement of the radio art. The impact would be exactly the opposite, as legitimate digital experimentation using narrow band transmission modes would be discouraged by this proliferation of wide band digital signals.

In reference to the filing of the erratum, I offer that the ARRL was "feeling the heat" of opposition from informed amateur radio operators who clearly understood what the resulting effects of the deletion of 97.221(c), sub paragraphs 1. and 2. would be. It should be apparent to the Commission at this time that the majority of amateur radio operators continue to believe that automatically controlled digital stations (including the questionable "semi-automatic" definition method of automatic control) should be afforded only regulatory defined areas of operation as is now provided. Again, referencing the inability of stations operating under automatic or semi-automatic remote control to detect signals already present is presented as a valid argument against any changes in current regulation.

In summary, I urge the Commission to consider wholesale rejection of RM-11306 as it appeared in its original format, and the subsequent revisions. The matter of assigning amateur radio spectrum usage based on bandwidth emissions as opposed to transmission mode could be revisited at a later time when some method of consideration of the impact could be fairly evaluated and applied towards such a effort. The current petition before the Commission has failed to take such impacts into consideration, and should be rejected for that reason alone.

I would like to thanks the Commission for providing me the opportunity to express my opinion on this very critical matter concerning the amateur radio service, which has served our citizens so well during times of emergency, and non-emergency alike, with the countless contributions of its members offered unselfishly for the benefit of all.

Respectfully,  
Luke O. Bannister

Amateur Radio Licensee AD4MG